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VIA ELECTRONIC FILING

May 9, 2008

The Honorable Leonard P. Stark
United States District Court for the District of Delaware
844 King Street
Wilmington, DE 19801

Re: *Sciele Pharma, Inc. v. Mylan Pharmaceuticals*
USDC-D. Del. - Civil Action No. 07-664

Sciele Pharma, Inc. v. Mylan Pharmaceuticals
USDC-D. Del. - Civil Action No. 07-818



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TWIN CITIES

WASHINGTON, DC

Dear Magistrate Judge Stark:

I write on behalf of both the Plaintiffs Sciele Pharma, Inc. and Sciele Pharma Cayman Ltd. (collectively, "Sciele") and the Defendants Mylan Pharmaceuticals, Inc. and Mylan Laboratories, Inc. (collectively, "Mylan") to inform the Court that the parties have reached an agreement to dismiss all claims, counterclaims, and defenses in the above-captioned actions. The actions are patent infringement lawsuits concerning U.S. Patent No. 4,892,741 ("the '741 Patent"), which will expire on June 8, 2008. The parties have therefore agreed to dismissal as of that date.

The Court has scheduled a hearing on June 4, 2008 for oral argument on Mylan's Rule 12(b)(1) Motion to Dismiss Sciele's Complaint for Lack of Standing and Subject Matter Jurisdiction and for a scheduling conference. Because the parties have now agreed that this case will be dismissed on June 8, 2008, Mylan has agreed to withdraw its motion. Thus, there is no longer any need for a hearing, and the parties respectfully request that the Court remove the hearing from the calendar.

The parties will file a stipulation dismissing all claims, counterclaims, and defenses with prejudice on June 8, 2008 and request that the Court dismiss the case on that date.

Respectfully,

/s/ William J. Marsden, Jr.

William J. Marsden, Jr.

WJM/jel

cc: Clerk of the Court (via e-filing)
Mary B. Matterer (via e-filing)
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